

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent &amp; Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been  
 filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. <b>CV 12-05827 HRL</b>	DATE FILED <b>11/14/2012</b>	U.S. DISTRICT COURT <b>280 South First Street, Rm 2112, San Jose, CA 9512</b>
PLAINTIFF <b>GOOD TECHNOLOGY CORPORATION, ET AL</b>		DEFENDANT <b>AIRWATCH, LLC</b>
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 <b>6,151,606</b>		SEE ATTACHED COMPLAINT
2 <b>7,702,322</b>		
3 <b>7,970,386</b>		
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In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK  Richard W. Wiekling	(BY) DEPUTY CLERK  Betty Walton	DATE  November 14, 2012
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1 and restrained by order of this Court. Good has no adequate remedy at law to redress AirWatch's  
2 continuing acts of infringement. The hardships that would be imposed upon AirWatch by an  
3 injunction are less than those faced by Good should an injunction not issue. Furthermore, the public  
4 interest would be served by issuance of an injunction.

5 34. As a result of AirWatch's acts of infringement, Good has suffered and will continue  
6 to suffer damages in an amount to be proved at trial.

7 **Count 3: Infringement Of U.S. Patent No. 7,970,386**

8 35. Good refers to and incorporates herein the allegations of Paragraphs 1-34 above.

9 36. AirWatch makes, uses, sells, offers for sale, exports, supplies, and/or distributes  
10 within and from the United States, products and/or services that allow for the monitoring and  
11 maintenance of smartphones and/or other devices, including at least one or more versions of its  
12 AirWatch Software, and/or similar products and/or services ("386 Accused Products"). In addition,  
13 AirWatch provides these products and/or services to distributors, resellers, developers and/or users.

14 37. AirWatch has been and is now directly infringing the '386 Patent in this District and  
15 elsewhere by making, using, offering for sale, selling, importing, exporting, supplying and/or  
16 distributing within, to, and/or from the United States the '386 Accused Products, in violation of 35  
17 U.S.C. § 271(a). Alternatively, AirWatch has indirectly infringed one or more claims of the '386  
18 Patent by inducing such use of the claimed methods and systems by its distributors, resellers, and/or  
19 end user customers using the '386 Accused Products in violation of 35 U.S.C. § 271(b).  
20 Alternatively, AirWatch has contributorily infringed one or more claims of the '386 Patent by  
21 providing the '386 Accused Products directly or by way of distributors and/or resellers to end users,  
22 who in turn combine the '386 Accused Products, which have no substantial non-infringing uses,  
23 with available hardware and/or software to infringe one or more claims of the '386 Patent in  
24 violation of 35 U.S.C. § 271(c). Alternatively, AirWatch has supplied in or from the United States  
25 the '386 Accused Products, which comprise all or a substantial portion of the components of the  
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1 claims of the '386 Patent, where such components are uncombined in whole or in part, in such  
2 manner as to actively induce the combination of such components outside of the United States in a  
3 manner that would infringe the patent if such combination occurred within the United States, in  
4 violation of 35 U.S.C. § 271(f)(1). Alternatively, AirWatch has supplied in or from the United  
5 States the '386 Accused Products, uncombined in whole or in part, which products are especially  
6 made or especially adapted for use in practicing the claims of the '386 Patent and are not staple  
7 articles or commodities of commerce suitable for substantial noninfringing use, knowing that such  
8 component is so made or adapted and intending that such component will be combined outside of  
9 the United States in a manner that would infringe the patent if such combination occurred within the  
10 United States, in violation of 35 U.S.C. § 271(f)(2).

12 38. Good has provided notice of the '386 Patent to AirWatch.

13 39. Upon information and belief, AirWatch had and has knowledge of the '386 Patent,  
14 AirWatch has been and is aware of its infringement, and AirWatch's infringement has been and  
15 continues to be willful.

16 40. Good has been irreparably harmed by AirWatch's acts of infringement of the '386  
17 Patent, and will continue to be harmed unless and until AirWatch's acts of infringement are enjoined  
18 and restrained by order of this Court. Good has no adequate remedy at law to redress AirWatch's  
19 continuing acts of infringement. The hardships that would be imposed upon AirWatch by an  
20 injunction are less than those faced by Good should an injunction not issue. Furthermore, the public  
21 interest would be served by issuance of an injunction.

22 41. As a result of AirWatch's acts of infringement, Good has suffered and will continue  
23 to suffer damages in an amount to be proved at trial.

24  
25 **Count 4: Infringement Of U.S. Patent No. 8,012,219**

26 42. Good refers to and incorporates herein the allegations of Paragraphs 1-41 above.  
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43. AirWatch makes, uses, sells, offers for sale, exports, supplies, and/or distributes within and from the United States, products and/or services that allow for preventing access to data on compromised smartphones and/or other devices, including at least one or more versions of its AirWatch Software, and/or similar products and/or services ("219 Accused Products"). In addition, AirWatch provides these products and/or services to distributors, resellers, developers and/or users.

44. AirWatch has been and is now directly infringing the '219 Patent in this District and elsewhere by making, using, offering for sale, selling, importing, exporting, supplying and/or distributing within, to, and/or from the United States the '219 Accused Products, in violation of 35 U.S.C. § 271(a). Alternatively, AirWatch has indirectly infringed one or more claims of the '219 Patent by inducing such use of the claimed methods and systems by its distributors, resellers, and/or end user customers using the '219 Accused Products in violation of 35 U.S.C. § 271(b). Alternatively, AirWatch has contributorily infringed one or more claims of the '219 Patent by providing the '219 Accused Products directly or by way of distributors and/or resellers to end users, who in turn combine the '219 Accused Products, which have no substantial non-infringing uses, with available hardware and/or software to infringe one or more claims of the '219 Patent in violation of 35 U.S.C. § 271(c). Alternatively, AirWatch has supplied in or from the United States the '219 Accused Products, which comprise all or a substantial portion of the components of the claims of the '219 Patent, where such components are uncombined in whole or in part, in such manner as to actively induce the combination of such components outside of the United States in a manner that would infringe the patent if such combination occurred within the United States, in violation of 35 U.S.C. § 271(f)(1). Alternatively, AirWatch has supplied in or from the United States the '219 Accused Products, uncombined in whole or in part, which products are especially made or especially adapted for use in practicing the claims of the '219 Patent and are not staple articles or commodities of commerce suitable for substantial noninfringing use, knowing that such component is so made or adapted and intending that such component will be combined outside of

the United States in a manner that would infringe the patent if such combination occurred within the United States, in violation of 35 U.S.C. § 271(f)(2).

45. Good has provided notice of the '219 Patent to AirWatch.

46. Upon information and belief, AirWatch had and has knowledge of the '219 Patent, AirWatch has been and is aware of its infringement, and AirWatch's infringement has been and continues to be willful.

47. Good has been irreparably harmed by AirWatch's acts of infringement of the '219 Patent, and will continue to be harmed unless and until AirWatch's acts of infringement are enjoined and restrained by order of this Court. Good has no adequate remedy at law to redress AirWatch's continuing acts of infringement. The hardships that would be imposed upon AirWatch by an injunction are less than those faced by Good should an injunction not issue. Furthermore, the public interest would be served by issuance of an injunction.

48. As a result of AirWatch's acts of infringement, Good has suffered and will continue to suffer damages in an amount to be proved at trial.

#### **PRAYER FOR RELIEF**

WHEREFORE, Good requests the following relief:

A. That AirWatch and its parents, affiliates, subsidiaries, officers, agents, servants, employees, attorneys, successors, and assigns, and all those persons in active concert or participation with them, or any of them, be enjoined from making, using, importing, exporting, distributing, supplying, offering for sale, selling, or causing to be sold any product or service falling within the scope of any claim of the '606, '322, '386, and '219 Patents, or otherwise infringing or contributing to or inducing infringement of any claim thereof;

B. A finding that AirWatch has infringed the '606, '322, '386, and '219 Patents;

C. That Good be awarded its actual damages;

1 D. That Good be awarded pre-judgment interest and post-judgment interest at the  
2 maximum rate allowed by law, including an award of prejudgment interest, pursuant to 35 U.S.C. §  
3 284, from the date of each act of infringement of the '606, '322, '386, and '219 Patents by AirWatch  
4 to the day a damages judgment is entered, and a further award of post-judgment interest, pursuant to  
5 28 U.S.C. § 1961, continuing until such judgment is paid, at the maximum rate allowed by law;

6 E. That the Court order an accounting for damages through judgment and post-  
7 judgment until AirWatch is permanently enjoined from further infringing activities;

8 F. That the Court declare this to be an exceptional case pursuant to 35 U.S.C. §  
9 285 and requiring AirWatch to pay the costs of this action (including all disbursements) and  
10 attorney's fees as provided by 35 U.S.C. § 285;

11 G. That the Court award enhanced damages pursuant to 35 U.S.C. § 284;

12 H. That the Court award supplemental damages for any continuing post-verdict  
13 infringement up until AirWatch is permanently enjoined from further infringing activities;

14 I. That the Court award a compulsory future royalty in the event an injunction is  
15 not awarded;

16 J. That the Court require AirWatch to pay interest on such damages at the legal  
17 rate;

18 K. That AirWatch pay Good's reasonable attorney's fees and costs; and

19 L. That Good be awarded such other and further relief as the Court deems just  
20 and proper.  
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**DEMAND FOR A JURY TRIAL**

Pursuant to the provisions of Rule 38(b) of the Federal Rules of Civil Procedure and in accordance with Civil Local Rule 3-6, Good demands a trial by jury of all issues so triable in this matter.

DATED: November 14, 2012

McKool Smith Hennigan, P.C.

By



(Courtland L. Reichman)

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Good Technology Corporation and  
Good Technology Software, Inc.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Good Technology Corporation and  
Good Technology Software, Inc.,

Plaintiffs,

vs.

AirWatch LLC,

Defendant.

Case No.

COMPLAINT FOR PATENT  
INFRINGEMENT

DEMAND FOR JURY TRIAL

ORIGINAL FILED

NOV 14 2012  
Richard W. Winking  
Clerk, U.S. District Court  
Northern District of California  
San Jose

HRL

CV 12-05827

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1 to increase workforce efficiency and productivity. Good has entered into intellectual property  
2 agreements with technology leaders, such as Research In Motion (RIM), Microsoft and Nokia.

3 6. Nevertheless, Good's innovations have been the subject of widespread copying by  
4 other competitors who have unfairly attempted to capitalize on Good's pioneering efforts and  
5 success by imitating Good's innovative technology and product offerings.

6 7. One of the principal imitators is AirWatch. Instead of pursuing independent product  
7 development, AirWatch has chosen to use Good's innovative technology and product offerings, in  
8 violation of Good's valuable intellectual property rights. As alleged below in detail, AirWatch has  
9 made its AirWatch products work through widespread patent infringement.

#### 10 PARTIES

11 8. Plaintiffs Good Technology Corporation and Good Technology Software, Inc. are  
12 Delaware corporations with their principal place of business at 430 N. Mary Ave., Suite 200,  
13 Sunnyvale, CA 94085.

14 9. Defendant AirWatch is a Delaware limited liability company with its principal place  
15 of business at 1155 Perimeter Center West, Suite 100, Atlanta, Georgia 30338.

16 10. AirWatch is doing business and infringing Good's patents-in-suit in California and  
17 elsewhere in the United States.

#### 18 JURISDICTION AND VENUE

19 11. This is a civil action for patent infringement arising under the patent laws of the  
20 United States, Title 35, United States Code, including 35 U.S.C. §§ 271 *et seq.* and 281-285.  
21 Jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1331 and 1338(a).

22 12. AirWatch is transacting and/or has transacted business within the State of California.  
23 AirWatch, directly or through intermediaries, is committing and/or has committed acts of  
24 infringement in the State of California, including at the very least, developing, distributing, selling,  
25 offering for sale, advertising, using and/or supporting products or services that fall within one or  
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1 more claims of Good's patents-in-suit. AirWatch is therefore subject to the personal jurisdiction of  
2 this Court.

3 13. AirWatch, directly or through intermediaries, has committed acts of infringement in  
4 this District, including at the very least, developing, distributing, selling, offering for sale,  
5 advertising, using and/or supporting products or services that fall within one or more claims of  
6 Good's patents-in-suit. Accordingly, venue to adjudicate whether Good's patents-in-suit are  
7 infringed is appropriate in the Northern District of California pursuant to 28 U.S.C. §§ 1391,  
8 1400(b), and 1404(a).  
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10 14. For example, AirWatch provides software solutions (in traditional forms, cloud-  
11 based, and software as service (SaaS)) for enterprise management of mobile devices, including  
12 configuring and updating mobile devices over-the-air, enforcing security policies and compliance  
13 for mobile devices, securing mobile access to corporate resources, and allowing mobile devices to  
14 be locked or wiped remotely (the "AirWatch Software"). AirWatch is currently marketing and  
15 selling its products and services, including its AirWatch Software, in California (including the  
16 Northern District) and elsewhere in the United States. AirWatch also has commercial relationships  
17 with various technology partners to promote, sell, offer for sale, and/or advertise AirWatch accused  
18 products and services in this State and this District. For example, AirWatch's AirWatch Software is  
19 available to customers in the State of California and the Northern District through the Apple App  
20 Store and Google Play markets.  
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22 15. AirWatch also uses websites to market accused products and services in California  
23 (including the Northern District), and enable users of its sites to inquire about (and receive)  
24 additional information and product support. AirWatch's website also allows residents of this State  
25 and this District to search for and apply for employment positions with AirWatch.  
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#### 27 INTRADISTRICT ASSIGNMENT

28 16. This action for patent infringement is assigned on a district-wide basis under Civil

1 L.R. 3-2(c).

2 **GENERAL ALLEGATIONS**

3 17. Good holds all right, title, and interest in and to United States Patent No. 6,151,606,  
4 entitled "System And Method For Using A Workspace Data Manager to Access, Manipulate and  
5 Synchronize Network Data" ("606 Patent"), which was duly and legally issued by the USPTO on  
6 November 21, 2000 in the name of Daniel J. Mendez. A copy of the '606 Patent is attached as  
7 Exhibit A. A Reexamination Certificate for the '606 Patent was duly and legally issued by the  
8 USPTO on March 24, 2009. A copy of the Reexamination Certificate of the '606 Patent is attached  
9 as Exhibit B.

10  
11 18. Good holds all right, title, and interest in and to United States Patent No. 7,702,322,  
12 entitled "Method And System For Distributing And Updating Software In Wireless Devices" ("322  
13 Patent"), which was duly and legally issued by the USPTO on April 20, 2010 in the name of Sanjiv  
14 Maurya et al. A copy of the '322 Patent is attached as Exhibit C.

15 19. Good holds all right, title, and interest in and to United States Patent No. 7,970,386,  
16 entitled "System And Method For Monitoring And Maintaining A Wireless Device" ("386  
17 Patent"), which was duly and legally issued by the USPTO on June 28, 2011 in the name of  
18 Sathyanarayana Pattavayal Bhat et al. A copy of the '386 Patent is attached as Exhibit D.

19 20. Good holds all right, title, and interest in and to United States Patent No. 8,012,219,  
20 entitled "System And Method For Preventing Access To Data On A Compromised Remote Device"  
21 ("219 Patent"), which was duly and legally issued by the USPTO on September 6, 2011 in the  
22 name of Daniel J. Mendez et al. A copy of the '219 Patent is attached as Exhibit E.

23 **Count 1: Infringement Of U.S. Patent No. 6,151,606**

24 21. Good refers to and incorporates herein the allegations of Paragraphs 1-20 above.

25 22. AirWatch makes, uses, sells, offers for sale, exports, supplies, and/or distributes  
26 within and from the United States, products and/or services that allow for the remote disabling  
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1 and/or wiping of information from smartphone and/or other devices, including at least one or more  
2 versions of its AirWatch Software, and/or similar products and/or services ("‘606 Accused  
3 Products"). In addition, AirWatch provides these products and/or services to distributors, resellers,  
4 developers and/or users.

5         23. AirWatch has been and is now directly infringing the ‘606 Patent in this District and  
6 elsewhere by making, using, offering for sale, selling, importing, exporting, supplying and/or  
7 distributing within, to, and/or from the United States the ‘606 Accused Products, in violation of 35  
8 U.S.C. § 271(a). Alternatively, AirWatch has indirectly infringed one or more claims of the ‘606  
9 Patent by inducing such use of the claimed methods and systems by its distributors, resellers, and/or  
10 end user customers using the ‘606 Accused Products in violation of 35 U.S.C. § 271(b).  
11 Alternatively, AirWatch has contributorily infringed one or more claims of the ‘606 Patent by  
12 providing the ‘606 Accused Products directly or by way of distributors and/or resellers to end users,  
13 who in turn combine the ‘606 Accused Products, which have no substantial non-infringing uses,  
14 with available hardware and/or software to infringe one or more claims of the ‘606 Patent in  
15 violation of 35 U.S.C. § 271(c). Alternatively, AirWatch has supplied in or from the United States  
16 the ‘606 Accused Products, which comprise all or a substantial portion of the components of the  
17 claims of the ‘606 Patent, where such components are uncombined in whole or in part, in such  
18 manner as to actively induce the combination of such components outside of the United States in a  
19 manner that would infringe the patent if such combination occurred within the United States, in  
20 violation of 35 U.S.C. § 271(f)(1). Alternatively, AirWatch has supplied in or from the United  
21 States the ‘606 Accused Products, uncombined in whole or in part, which products are especially  
22 made or especially adapted for use in practicing the claims of the ‘606 Patent and are not staple  
23 articles or commodities of commerce suitable for substantial noninfringing use, knowing that such  
24 component is so made or adapted and intending that such component will be combined outside of  
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1 the United States in a manner that would infringe the patent if such combination occurred within the  
2 United States, in violation of 35 U.S.C. § 271(f)(2).

3 24. Good has provided notice of the '606 Patent to AirWatch.

4 25. Upon information and belief, AirWatch had and has knowledge of the '606 Patent,  
5 AirWatch has been and is aware of its infringement, and AirWatch's infringement has been and  
6 continues to be willful.

7 26. Good has been irreparably harmed by AirWatch's acts of infringement of the '606  
8 Patent, and will continue to be harmed unless and until AirWatch's acts of infringement are enjoined  
9 and restrained by order of this Court. Good has no adequate remedy at law to redress AirWatch's  
10 continuing acts of infringement. The hardships that would be imposed upon AirWatch by an  
11 injunction are less than those faced by Good should an injunction not issue. Furthermore, the public  
12 interest would be served by issuance of an injunction.

13 27. As a result of AirWatch's acts of infringement, Good has suffered and will continue  
14 to suffer damages in an amount to be proved at trial.

15  
16 **Count 2: Infringement Of U.S. Patent No. 7,702,322**

17 28. Good refers to and incorporates herein the allegations of Paragraphs 1-27 above.

18 29. AirWatch makes, uses, sells, offers for sale, exports, supplies, and/or distributes  
19 within and from the United States, products and/or services, including at least one or more versions  
20 of its AirWatch Software, and/or similar products and/or services ("322 Accused Products"), that  
21 allow for the distribution and/or updating of software on smartphones and/or other devices. In  
22 addition, AirWatch provides these products and/or services to distributors, resellers, developers  
23 and/or users.

24 30. AirWatch has been and is now directly infringing the '322 Patent in this District and  
25 elsewhere by making, using, offering for sale, selling, importing, exporting, supplying and/or  
26 distributing within, to, and/or from the United States the '322 Accused Products, in violation of 35  
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1 U.S.C. § 271(a). Alternatively, AirWatch has indirectly infringed one or more claims of the '322  
2 Patent by inducing such use of the claimed methods and systems by its distributors, resellers, and/or  
3 end user customers using the '322 Accused Products in violation of 35 U.S.C. § 271(b).  
4 Alternatively, AirWatch has contributorily infringed one or more claims of the '322 Patent by  
5 providing the '322 Accused Products directly or by way of distributors and/or resellers to end users,  
6 who in turn combine the '322 Accused Products, which have no substantial non-infringing uses,  
7 with available hardware and/or software to infringe one or more claims of the '322 Patent in  
8 violation of 35 U.S.C. § 271(c). Alternatively, AirWatch has supplied in or from the United States  
9 the '322 Accused Products, which comprise all or a substantial portion of the components of the  
10 claims of the '322 Patent, where such components are uncombined in whole or in part, in such  
11 manner as to actively induce the combination of such components outside of the United States in a  
12 manner that would infringe the patent if such combination occurred within the United States, in  
13 violation of 35 U.S.C. § 271(f)(1). Alternatively, AirWatch has supplied in or from the United  
14 States the '322 Accused Products, uncombined in whole or in part, which products are especially  
15 made or especially adapted for use in practicing the claims of the '322 Patent and are not staple  
16 articles or commodities of commerce suitable for substantial noninfringing use, knowing that such  
17 component is so made or adapted and intending that such component will be combined outside of  
18 the United States in a manner that would infringe the patent if such combination occurred within the  
19 United States in violation of 35 U.S.C. § 271(f)(2).

22 31. Good has provided notice of the '322 Patent to AirWatch.

23 32. Upon information and belief, AirWatch had and has knowledge of the '322 Patent,  
24 AirWatch has been and is aware of its infringement, and AirWatch's infringement has been and  
25 continues to be willful.

26 33. Good has been irreparably harmed by AirWatch's acts of infringement of the '322  
27 Patent, and will continue to be harmed unless and until AirWatch's acts of infringement are enjoined  
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